



County of San Diego, Planning & Development Services
ACCESSORY DWELLING UNIT
ZONING DIVISION

State Law allows the addition of an Accessory dwelling unit (ADU) to those properties zoned to allow the Family Residential use type by right. An ADU means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. While this form is meant to provide a summary of the State ADU regulations, a complete summary of the regulations can be found on our website at <https://www.sandiegocounty.gov/pds/bldg/adu.html>

An ADU is not allowed on a lot or parcel, which has an existing guest living quarters or accessory apartment. There are provisions in the ordinance to allow conversion of such units into an Accessory dwelling unit.

Applicants are strongly encouraged to contact the appropriate Fire Department ASAP to ensure the ADU complies with the required fire setbacks and to find out if fire sprinklers are required or not.

All newly constructed ADU's must comply with the required main building setbacks.

An Accessory dwelling unit is allowed "by-right" provided all of the following are met:

- The legal lot must be in a residential zone and has to have an existing single-family residence, or the ADU is to be constructed concurrently with a primary single-family residence.
- The ADU is either attached to an existing dwelling, or located within the living area of the existing dwelling or detached and on the same legal lot.
- ADU may be rented, but is not intended for sale separate from the primary residence.
- Lot does not have an existing guest living quarters, accessory living quarters, or accessory apartment. A conversion of a guest living quarters, accessory living quarters, or accessory apartment into an ADU is potentially permitted and requires approval of a building permit.
- The total floor area of an attached ADU shall not exceed 50 percent of the floor area of the existing SFD, up to a maximum floor area of 1,200 square feet.
- The total floor area of a detached ADU shall not exceed 1,200 square feet, independent of the square footage of the living area of the existing SFD.
- Applicants must provide mathematical computations of the "floor area" for both units on the plot plans, and these calculations must be taken from the exterior dimensions of the outside walls.
- Complete floor plans of the primary dwelling and proposed ADU shall be provided.
- Total floor area of a proposed garage attached to a detached ADU shall not exceed the allowable combined square footages per Section 6156.g, or unless authorized by an approved Administrative Permit.
- No other rooms, additions, uses, etc. can be attached to the ADU, except a garage, or unless authorized by an approved Administrative Permit.



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ACCESSORY DWELLING UNIT

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- An ADU could potentially be attached to an existing and permitted barn, shed, workshop, etc. as long as the ADU is placed within the existing and permitted accessory structure and the overall footprint is not being changed. The ADU cannot have interior communication to the remaining portions of the existing barn, shed, workshop, etc.
- No setbacks are required if an existing and permitted garage, or a portion thereof is being converted into an ADU, except for Fire safety.
- If an existing detached or attached garage is being converted into an ADU, any new addition for the ADU has to comply with the required main building setbacks.
- A setback of five feet from the side and rear lot lines is required for an ADU that is being constructed above a permitted detached garage. In this case, the setbacks only apply to the added space above the garage, not the existing garage and the ADU can be constructed wholly or partly above the garage, including extending beyond the garage walls.
- Main building setbacks are required for all newly constructed ADU's.
- A detached ADU is limited to 24' in height.
- An ADU attached to the primary residence must comply with the required main building setbacks.
- A new ADU shall provide one parking space. The parking space for the ADU may be located in an existing driveway as tandem parking but must comply with the required front yard and/or exterior side yard setback(s).
- An ADU shall provide one parking space (except if the ADU is located within one-half mile of public transit; or within a historic district). These spaces may be provided as tandem parking but shall not be in tandem with any existing SFD spaces.
- If establishment of the ADU involves a garage conversion, replacement off-street parking for the SFD shall be provided concurrently.
- The applicant must provide evidence that there is sewer (or septic) service and water available, and that any applicable permits have been obtained and all applicable fees have been paid.
- All requirements of the building, Fire and other codes, and the Zoning Ordinance, shall apply to the ADU.
- Separate sale or ownership of an ADU is prohibited, unless the lot is subdivided creating a separate lot for each dwelling.
- The ADU shall not be used or rented for less than 30 days.